IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
WEDNESDAY, THE TWENTY THIRD DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE G. BIKSHAPATHY
and
THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 24007 of 2003

Between:

S.Rambrahmam, s/o Venkateswarlu,
Gudur Municipality, Nellore District.

..... PETITIONER

AND

1 N.Subba Rao, s/o Venkateswarlu,
S.N.P.Agraharam, Bapatla, Guntur District.
2 The Commissioner and Director of Municipal Administration,
A.P.,Hyderabad.
3 The Bapatla Municipal Council rep., by its
Bapatla Municipality, Bapatla, Guntur District.
4 The Commissioner, Bapatla Municipality, Bapatla, Bapatla, Guntur District.

..RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a writ order or direction more in the nature of writ of certiorari calling for the records, relating to order of the Hon'ble A.P.Administrative Tribunal dated 17-4-2003 in O.A.No.4436/1996 and quash the same by holding it as illegal, bad and arbitrary

For the Petitioner:MR.J.R.MANOHAR RAO

For the Respondent No.: MR.SRINIVAS DAMMALAPATI,

G.P.for Services-I

The Court Made the Following :

THE HONOURABLE SRI JUSTICE G.BIKSHAPATHY
AND
THE HONOURABLE SRI JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO.24007 OF 2003

ORDER: (per Hon'ble sri Justice G.Bikshapathy)

The writ petition is filed assailing the order passed by the Andhra Pradesh Administrative Tribunal in O.A.No.4436 of 2003, dated 17.4.2003.

2. The first respondent herein is the petitioner before the Tribunal and he challenged the promotion of the petitioner herein, who is fourth respondent in O.A. However, the Tribunal without hearing the fourth respondent allowed the O.A. and set aside the promotion of the fourth respondent, against which the present writ petition has been filed.

3. First respondent, even though served, not present and there is no representation on his behalf. We have heard the learned Government Pleader for Services-I.

4. Inasmuch as, the petitioner was not heard by the Tribunal before passing impugned order, we find that it is in violation of principles of natural justice.

5. Accordingly, the writ petition is allowed and we set aside the order dated 17.4.2003 in O.A.No.4436 of 2003

and remit the matter to the Tribunal for fresh disposal. The Tribunal shall issue notices to the parties concerned and decide the O.A. in accordance with law, within a period of three months from the date of receipt of a copy of this order.

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G.BIKSHAPATHY,J

Dt.23.6.2004.

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B.SESHASAYANA REDDY, J

mdaa.

Sd/- XXX

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Commissioner and Director of Municipal Administration, A.P.,Hyderabad.
2. The Bapatla Municipal Council rep., by its Bapatla Municipality, Bapatla, Guntur District.
3. The Commissioner, Bapatla Municipality, Bapatla, Bapatla, Guntur
4. 2CD copies

5. The Registrar, APAT,
Purani Haveli, Hyderavad.